

**MENOMINEE TRIBAL LEGISLATURE – REGULAR  
APRIL 1, 2010  
MENOMINEE TRIBAL OFFICE BOARD ROOM  
KESHENA, WI 54135  
5:00 P.M.**

**MEMBERS PRESENT:**

Laurie A. Boivin, Tribal Chairwoman  
Lynnette A. Miller  
Randal Chevalier  
Myrna R. Warrington  
Lisa S. Waukau  
Bruce J. Pecore  
Kenneth A. Fish  
David A. Miller  
Rebecca D. Alegria

**1. Call to Order – Roll Call**

Chairwoman Boivin called the Meeting to order at 5:00 PM. Roll Call was taken with a quorum present.

**2. Menominee Prayer & Smudging Ceremony.**

Ron “Ronco” Corn Jr. said the Menominee prayer in the Menominee Language and then interpreted it in the English Language while he smudged the Tribal Legislature, Executive Secretary, Director of Legal Services, and the rest of the tribal members in the audience.

**3. Public Comment Period.**

Tribal member Frieda Bergeon requested to make a public comment regarding issues and concerns she has.

Tribal member Marla Mahkimetas requested to make a public comment regarding the Tribal School.

**4. 1<sup>ST</sup> Consideration of Ordinance No. 10-06 - Residential Lease Requests to Tribal Members.**

**MOTION BY REBECCA ALEGRIA TO APPROVE 1<sup>ST</sup> CONSIDERATION OF MENOMINEE TRIBAL ORDINANCE NO. 10-06 RESIDENTIAL LEASE REQUESTS AND MOVE IT TO PUBLIC HEARING ON APRIL 15, 2010 AT 4:30 P.M. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

**5. 1<sup>ST</sup> Consideration of Ordinance No. 10-07 - Recreational Lease Requests to Tribal Members.**

**MOTION BY REBECCA ALEGRIA TO APPROVE 1<sup>ST</sup> CONSIDERATION OF ORDINANCE NO. 10-07 RECREATIONAL LEASE REQUESTS AND SEND IT TO PUBLIC HEARING ON APRIL 15, 2010 AT 4:30 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 9 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

**6. 10-Day Waiver Request(s).**

There were no 10-day waiver request(s) made at this time.

7. **Veterans of the Menominee Nation Request to Use the Woodland Bowl for the 21st Annual Gathering of Warriors Pow wow on May 14-16, 2010.**

**MOTION BY REBECCA ALEGRIA TO APPROVE THE REQUEST OF THE VETERANS OF THE MENOMINEE NATION TO USE THE WOODLAND BOWL FOR THEIR 21ST ANNUAL GATHERING OF WARRIORS POW-WOW THAT WILL TAKE PLACE ON MAY 14, 15, 16, 2010. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

8. **Approval for American Legion Post to repaint the Army Tank in downtown Keshena.**

**MOTION BY MYRNA WARRINGTON TO APPROVE THE REQUEST TO PAINT THE TANK LOCATED IN THE VETERANS PARK. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

9. **Menominee Chamber of Commerce, Inc. - 2010 Sponsorship.**

**MOTION BY REBECCA ALEGRIA TO APPROVE \$1,500 FOR THE ANNUAL MENOMINEE CHAMBER OF COMMERCE 2010 SPONSORSHIP DUES TO COME FROM THE CHAIRMAN'S BUDGET. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

10. **Resolution No. 10-13 Americorps Vista Sponsor.**

MTL was informed that this Resolution is not ready for approval.

**MOTION BY REBECCA ALEGRIA TO *TABLE* RESOLUTION NO. 10-13 AMERICORPS VISTA SPONSOR. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

11. **Other Business.**

**MOTION BY REBECCA ALEGRIA TO ENTERTAIN THE FOLLOWING UNDER "OTHER BUSINESS: MATTERS OF AN IMMEDIATE NATURE THAT CANNOT WAIT UNTIL THE NEXT MEETING:" - 1) RESOLUTION NO. 10-15 REQUEST TO ATTEND WAHPETON INDIAN HIGH SCHOOL; 2) SET DATE AND TIME TO MEET WITH CANDIDATE MARK NEUMANN FOR GOVERNOR; 3) ADD TO AGENDA ITEM NUMBER 20 EXECUTIVE SESSION: (A) LEGAL NUMBER (6) DRAFT RESPONSE FROM DIRECTOR OF LEGAL SERVICES; 4) ADD TO AGENDA ITEM NUMBER 20 EXECUTIVE SESSION: (B) PERSONNEL NUMBER (1) CORRESPONDENCE FROM PROSECUTOR TONI CALDWELL; & 5) EXECUTIVE SESSION UPDATE ON KURDISTAN UNDER LEGAL. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

**1) Resolution No. 10-15 Request to Attend Wahpeton Indian High School;**

**MOTION BY REBECCA ALEGRIA TO APPROVE TRIBAL RESOLUTION NO. 10-15 REQUEST TO ATTEND WAHPETON INDIAN HIGH SCHOOL FOR STUDENT ASA "*BIG BEAR*" BOURDON AND AUTHORIZE THE MENOMINEE TRIBAL CHAIRWOMAN AND SECRETARY LYNNETTE MILLER TO SIGN, AND WAIVE THE READING. SECOND WAS MADE BY DAVID MILLER.**

Questions were raised whether or not the Tribe had the authority to approve this Resolution, because this student is not an enrolled Tribal member, and is enrolled with the Ho-Chunk Tribe.

Administrative Service Manager, Jeremy Weso reaffirmed that the Tribe could pass this, because this student is counted as part of the membership here on the reservation. In addition, he is counted as part of the head count in the Tribal School System, and the Tribe will be losing that head count.

**THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 1 ABSTENTION (CHEVALIER), AND 0 ABSENT.**

**PLEASE NOTE: Legislator Chevalier did not qualify his abstention.**

**2) Set Date and Time to Meet with Candidate Mark Neumann for Governor;**

**MOTION BY KENNETH FISH THAT THE TRIBAL LEGISLATURE ESTABLISH MAY 12, 2010 TO MEET WITH CANDIDATE MARK NEUMANN FOR GOVERNOR AND THAT WE DIRECT THE CHAIRMAN OF THE MENOMINEE TRIBE TO REQUEST THAT THE STOCKBRIDGE MUNSEE TRIBE WOULD BE INTERESTED TO A JOINT MEETING ON THAT DAY ALSO. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

The Tribal Legislature requested to obtain information on Candidate Neumann before the meeting to review his position on issues. In addition, to receiving background information along with his voting record on Indian issues in terms of Indian Gaming, and his point of views on environmental issues for the Menominee Tribe.

Legislator Alegria offered to hold the joint meeting in the Bunk House at the Logging Museum.

**3) ADD TO AGENDA ITEM NUMBER 20 EXECUTIVE SESSION: (A) LEGAL NUMBER (6) DRAFT RESPONSE FROM DIRECTOR OF LEGAL SERVICES;**

This item will be taken up in Executive Session.

**4) ADD TO AGENDA ITEM NUMBER 20 EXECUTIVE SESSION: (B) PERSONNEL NUMBER (1) CORRESPONDENCE FROM PROSECUTOR TONI CALDWELL; &**

This item will be taken up in Executive Session.

**5) EXECUTIVE SESSION UPDATE ON KURDISTAN UNDER LEGAL.**

This item will be taken up in Executive Session.

**12. 1st Consideration of Amendment to Ordinance 80-13 Rafting (Sponsored by Legislator's Kenneth A. Fish and Bruce Pecore).**

Legislator Fish requested to make it known that he does not sponsor this Ordinance, and there should be a protocol established for receiving approval by those Legislator's bringing forth Ordinances. In addition, he did not like to see his name listed on the agenda as such.

**MOTION BY BRUCE PECORE TO APPROVE MENOMINEE TRIBAL LEGISLATURE AMENDMENT TO ORDINANCE 80-13 1ST CONSIDERATION OF "RAFTING" AND MOVE IT TO PUBLIC HEARING ON APRIL 15, 2010 AT 4:30 P.M. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

Tribal members requested to have this Ordinance opened to the public in the event someone else would like to go into business.

Legislator Warrington stated that there is nothing in the Ordinance regarding cleaning, and would like to have that incorporated.

Chairwoman Boivin informed Legislator Warrington that she could note that at Public Hearing.

**13. 1st Consideration of Amendment to Ordinance 97-13 All Terrain Vehicle Registration (Sponsored by Legislator's Kenneth A. Fish and Bruce Pecore).**

**MOTION BY BRUCE PECORE TO APPROVE MENOMINEE TRIBAL LEGISLATURE AMENDMENT TO ORDINANCE 97-13 "ALL TERRAIN VEHICLE REGULATIONS" 1ST CONSIDERATION AND MOVE IT TO PUBLIC HEARING ON APRIL 15TH AT 4:30. SECOND WAS MADE BY LISA WAUKAU.**

Tribal members requested that the Legislature look at installing mini roads along side the road/highway for these ATV's so they have someplace to ride, and they are able to get from trail to trail. They also requested that the historical sites be protected as well.

Legislator Fish stated that for Public Hearing he will have several issues, and for the record, that he is not a sponsor of this Ordinance.

**THE MOTION CARRIED: 7 FOR, 1 OPPOSED (FISH), 0 ABSTENTIONS, AND 0 ABSENT.**

**PLEASE NOTE: Legislator Fish qualified his opposition for the record as follows:** *"there's sections of the Ordinance that I feel weren't gone over thoroughly enough, and I feel that there's some issues that need to be discussed. With all due respects to the Enforcement Resource and Protection Committee, because they're an excellent Committee, but they're Law Enforcement, and it tends to be Law Enforcement heavy, so I oppose it for that fact."*

**14. 1<sup>ST</sup> Consideration of Amendment to Ordinance 07-03 Menominee Nation Contest Pow-Wow Board. (Sponsored by Legislator's Rebecca Alegria & David Miller)**

**MOTION BY DAVID MILLER THAT THE MENOMINEE TRIBAL LEGISLATURE CONSIDER 1<sup>ST</sup> CONSIDERATION OF AMENDMENT TO ORDINANCE NO. 07-03 "MENOMINEE NATION CONTEST POW-WOW BOARD" AND SEND TO PUBLIC HEARING ON APRIL 15, 2010 AT 4:30 P.M. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

**15. 1<sup>ST</sup> Consideration of Amendment to Ordinance 09-17 Fiscal Year 2010 Restricted - Use Budget. (Sponsored by Legislator's Lisa Waukau, David Miller, & Bruce Pecore).**

**MOTION BY LISA WAUKAU TO APPROVE 1<sup>ST</sup> READ OF AMENDMENT TO ORDINANCE NO. 09-17 "FISCAL YEAR 2010 RESTRICTED - USE BUDGET" AND SEND TO PUBLIC HEARING ON APRIL 15, 2010 AT 4:30 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

**16. Travel Authorization Requests & Reports.**

**MOTION BY REBECCA ALEGRIA TO APPROVE TRAVEL AUTHORIZATION REQUESTS FOR 1) THE DNR & DATCP ANNUAL CONSULTATION ON APRIL 15, 2010 IN ODANAH, WI FOR MENOMINEE TRIBAL CHAIRWOMAN LAURIE BOIVIN; & 2) THE 5TH ANNUAL RED SHAWL GALA & DONATION SPONSORSHIP ON APRIL 17, 2010 IN MILWAUKEE, WI FOR ANY TWO (2) LEGISLATOR'S. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WARRINGTON).**

**PLEASE NOTE:** Legislator Warrington left the meeting from 5:45 - 5:47 p.m.

**17. Committee Reports & Recommendations.**

**a. Menominee Nation Contest Pow-Wow Board of March 11, 2010**

- i. Amend Ordinance 07-03 Menominee Nation Contest Pow wow Board (Change 7 Member Board to 8 Member Board & 2 or 3 Legislators).**

**MOOT** - Previously taken up under agenda item number 14.

**b. Budget and Finance Committee of March 15, 2010.**

- i. Amend Ordinance 09-17 FY 2010 Restricted - Use Budget**

**MOOT** - Previously taken up under agenda item number 15.

**c. Community Development Committee of March 16, 2010.**

- i. Approve American Legion Post to repaint the Army Tank in downtown Keshena.**

**MOOT** - Previously taken up under agenda item number 8.

- ii. Approve Veteran's request to use the Woodland Bowl on May 14-16, 2010.**

**MOOT** - Previously taken up under agenda item number 7.

- iii. Approve Legal Dept. address the issue of the variance for trailers.**

**MOTION BY DAVID MILLER TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE OF MARCH 16, 2010 TO RECOMMEND TO THE LEGISLATURE TO HAVE THE LEGAL DEPARTMENT ADDRESS THE ISSUE OF THE VARIANCE FOR TRAILERS AS THEY PERTAIN TO LAND LEASE REQUESTS IMMEDIATELY. NO SECOND NECESSARY. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

- iv. Approve Residential and Recreational Lease requests.**

**MOOT** - Previously taken up under agenda item numbers 4 & 5.

**d. Health and Family Committee of March 16, 2010.**

- i. Transfer money from 3rd Party Reserve to 2010 3rd Party Budget.**

**MOTION BY REBECCA ALEGRIA TO CONCUR WITH THE HEALTH AND FAMILY COMMITTEE OF MARCH 16, 2010 TO RECOMMEND TO THE MENOMINEE TRIBAL LEGISLATURE TO APPROVE THE REQUEST TO TRANSFER \$337,551.75 FROM THE 3RD PARTY RESERVE TO 2010 THIRD PARTY BUDGET. THE TOTAL BUDGET WOULD INCREASE FROM \$6,654,593.00 TO \$6,999,144.81 NO SECOND NECESSARY. *THE MOTION IS DEFEATED*: 0 FOR, 8 OPPOSED (FISH, D. MILLER, ALEGRIA, CHEVALIER, L. MILLER, WARRINGTON, WAUKAU, & PECORE), 0 ABSTENTIONS, AND 0 ABSENT.**

Legislator's decided to defeat the motion because they could not understand the budget that was submitted, and questioned if the needs at the Clinic would be met, especially in the Contract Health Services area with this proposed amendment. The Committee meeting minutes did not reflect why the Clinic was asking for this much of an increase from their third party reserves. In addition, the Tribal Legislature questioned why this Committee request didn't go through the Ordinance process.

Legislator Fish requested to review the whole budget once it comes back for final approval, and from this point on he requested to review the whole picture of every budget amendment, because it's very early in this fiscal year for amendments to the Budget Ordinances. He requested that the Tribal Clinic Administrator put together an explanation of the budget request, and put that explanation into each of the Legislator's mailboxes, because he doesn't know what the request would be used for or what the Clinic's unmet needs are. He also requested to have initiatives completed through the Committee on President Obama's reformed Health Care Bill, and how the Indian Re-Authorization Act is going to benefit the Indian Tribes. From his understanding, the Tribal Clinic would benefit from this Act handsomely. He also wants to see an analysis of how that Indian Re-Authorization Act is going to assist the Menominee. If stated that if there are funds available that we don't miss that opportunity in the event we are not prepared to accept some of the monies if it becomes available. That analysis would be a direct reflection on the future budgets at the Clinic.

**MOTION BY REBECCA ALEGRIA TO RECOMMEND TO THE MENOMINEE TRIBAL LEGISLATURE TO BRING FORWARD AN ORDINANCE AMENDMENT FOR THE REQUEST OF \$337,551.75 FROM THE THIRD PARTY RESERVES TO 2010 THIRD PARTY BUDGET FOR THE NEXT MENOMINEE TRIBAL LEGISLATURE MEETING. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

**MOTION BY KENNETH FISH TO REQUEST ADMINISTRATION AND JERRY WAUKAU (*TRIBAL CLINIC ADMINISTRATOR*) TO DEVELOP AN ANALYSIS ON THE OBAMA HEALTH CARE REFORM LAW AND THE INDIAN RE-AUTHORIZATION ACT, AND HOW THAT'S GOING TO BENEFIT THE TRIBE, AND COME BACK IN SIXTY (60) DAYS. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

**PLEASE NOTE:** Legislator Fish requested that this budget be brought back when all Legislator's are present.

- e. Enforcement & Resource Protection Committee of March 17, 2010.**
  - i. Approve Amendments to ATV Ordinance 97-13**

**MOOT** - Previously taken up under agenda item number 13.

- f. Recessed Enforcement & Resource Protection Committee of March 23, 2010.**
  - i. Approve Amendment to Ordinance 80-13 Rafting.**

**MOOT** - Previously taken up under agenda item number 12.

- ii. Approve the Moshawquit/Legend Lake Milfoil Treatment Plan 2010.**

**MOTION BY BRUCE PECORE TO CONCUR WITH THE ENFORCEMENT AND RESOURCE PROTECTION COMMITTEE OF MARCH 17, 2010 TO RECOMMEND THAT THE MOSHAWQUIT/LEGENDLAKE MILFOIL TREATMENT PLAN BE IMPLEMENTED THROUGHOUT THE DOCUMENT AND RECOMMEND TO THE MENOMINEE TRIBAL LEGISLATURE. NO SECOND NECESSARY.**

Legislator Fish stated that he has requested before all the maps that layout all the treated areas or all the areas that will be treated, and it was not in their meeting packets. He requested for the future that all the maps and potential maps be included to aid in rendering a decision. He requested that this be relayed back to Environmental Services so they can get the maps ready and are aware of what we are requesting in the future, and the Legislature should be afforded historical timelines of the treatment, and when the next treatments are scheduled. At one time, they used to record why they treated, where they treated, and what the success was, so that is important to the historical timelines of treatment to our lakes. He also stated for the record that it would be beneficial to the Legislature that they are aware that the Milfoil is improving in our lakes.

Chairwoman Boivin informed the Committee members to take this issue back to their Committee's for the map issues, and make that request there to provide those maps as well. She also stated she would have her Executive Secretary follow up with the Environmental Department to obtain those maps, and place a copy in the Legislative mailboxes.

Legislator Warrington stated that on the first page of the minutes (under agenda number 11. Amendment to Ordinance 80-13 - Rafting Ordinance: Discussion/Recommendations second sentence) where Lindzey stated the rafters are subject to the jurisdiction of the Menominee Tribe, and the biggest percentage are non-Menominee; therefore, this is not a true statement. In addition, the motion is not clear, because it says that the treatment plan be implemented throughout the document, and then it says to recommend to the Menominee Tribal Legislature. It doesn't say what he's recommending to the Legislature for approval.

**THE MOTION CARRIED: 6 FOR, 2 OPPOSED (WARRINGTON & ALEGRIA), 0 ABSTENTIONS, AND 0 ABSENT.**

**PLEASE NOTE:** Legislator Warrington qualified her opposition as follows: *"because it doesn't say "treat," it just says, recommend to the Tribal Legislature. What are they recommending?"*

**Legislator Alegria qualified her opposition as follows:** *"I'm opposed to blanket chemical spraying of our waters; especially this amount of water acreage, and there are no studies of effects on our wildlife for this treatment plan."*

#### **18. 2010 Legislative Goals Progress Reports.**

The Legislature discussed their Legislative goals and reported on the progress they are achieving thus far.

#### **19. Revisions of MTL - Legislative Rules of Procedure.**

**MOTION BY BRUCE PECORE TO PASS THIS WITH THE NEW PUBLIC COMMENTS RULES THAT YOU HAVE ADDRESSED. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (CHEVALIER).**

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**MOTION BY BRUCE PECORE TO AMEND B (1) AND STRIKE "TOPIC ONLY" AND REWRITE A "SYNOPSIS" WITH THE ISSUE OR PROBLEMS WITH THE RESOLUTION. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (CHEVALIER).**

**PLEASE NOTE:** *Legislator Chevalier left the meeting during this discussion.*

Legislator Fish stated that he realizes that the Tribe is trying to put a change to the rules, because sometimes there are names that are mentioned and put out there during public comment, and there are names of departments or organizations that are also published, but at the same time, he believes that this is a drastic change. He stated the commentary should be cautious without naming individuals/organizations/departments without legitimate verified evidence. He also reminded the Legislature that these rules have been put in place since 2006, and this commentary period has only been an issue with the Legislature within the last few months. We went all those years without this being an issue, but now what we're attempting to do by eliminating all that public commentary from the record in its entirety, is we are taking out a place where a tribal member may have a concern and that is the only place that they have to bring forward their issues. He also stated that bothers him, because that is the only place that tribal members can be heard. He suggested that if the Legislature as a Body feels that the public commentary was unjust that by motion they would download that comment and it would be maintained in the Chairman's Office for a later date if needed. Given the fact that we've dealt with issues that have been as unpopular as we would like issues to be, but yet if that individual didn't have that public commentary available to them would this Legislature still have acted in the same course they did to flush out the genuine issues of those issues? Given some of the issues we'll be discussing later tonight, there may have been cause by this Legislature and the issue may be proven to be somewhat of a genuine

issue. Therefore, we need to be real careful of eliminating that public commentary from the record, and in its current form he can't support those changes. It's only been a problem when it dealt with significant issues; such as, sexual abuse that wasn't properly addressed. Should that issue have been there at public comment? Yes, because now we're dealing with those issues, and for that he will not support the changes made to the public commentary section of the rules.

Legislator Waukau requested to comment for the record that she doesn't think that taking away the names and departments in anyway mitigates serious charges. We still can deal with very serious issues without having names attached like the prior public commentary. We will still deal with serious issues and the process should be that the Chairman of the Tribe should put that on the agenda so that way you are still given an opportunity to discuss those issues, but in a closed session. She likes the treatment made to public comment, it doesn't limit tribal members opportunity to speak to this body to raise those issues, it just flushes out more things for us to handle. Nevertheless, whenever a Tribal member came to see her during her Chairmanship she did address those problems by making the individuals follow the process first instead of running straight to the Legislature. In addition, if issues required Legislative action she did put that on the agenda to be discussed further, whether it was in public or closed sessions.

- 20. As per LRP 5.03 - EXECUTIVE SESSION: (A) Legal - 1) MTE vs. OSHA; 2) Economic Development Updates; 3) Update MTE FMP Issue; 4) Update on Property Counter-offer Purchase; & 5) Update on Constitutionality of Ordinance No. 99-01 Conservation Commission Code; (B) Personnel; & (C) Gaming - 1) Kenosha Project Update.**

**MOTION BY REBECCA ALEGRIA TO GO INTO EXECUTIVE SESSIN AS PER LRP RULE 5.03. SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

## ***\*\*EXECUTIVE SESSION WAS NOT RECORDED\*\****

**MOTION BY DAVID MILLER TO COME OUT OF EXECUTIVE SESSION. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

**MOTION BY MYRNA WARRINGTON THAT THE TRIBAL CHAIRPERSON LAURIE BOIOVIN GO TO THE N.I.G.A. CONVENTION OF APRIL 5 - 8, 2010. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

### **(A) Legal 1) MTE vs. OSHA;**

There were not motions made after coming out of Executive Session.

### **2) Economic Development Updates;**

There were not motions made after coming out of Executive Session.

### **3) Update MTE FMP Issue;**

There were not motions made after coming out of Executive Session.

### **4) Update on Property Counter-offer Purchase; &**

There were not motions made after coming out of Executive Session.



**5) Update on Constitutionality of Ordinance No. 99-01 Conservation Commission Code;**

There were not motions made after coming out of Executive Session.

**6) DRAFT RESPONSE FROM DIRECTOR OF LEGAL SERVICES; &**

There were not motions made after coming out of Executive Session.

**7) EXECUTIVE SESSION UPDATE ON KURDISTAN UNDER LEGAL;**

**MOTION BY MYRNA WARRINGTON THAT THE APPOINTED AD-HOC COMMITTEE PRO-BONO REGARDING THE KURDISTAN TRIP WITH LEGISLATOR FISH, LEGISLATOR PECORE, AND JOHN TELLER. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 1 OPPOSED (CHEVALIER), 0 ABSTENTIONS, AND 0 ABSENT.**

**PLEASE NOTE: Legislator Chevalier qualified his opposition as follows: *I'm opposed, because this is Tribal business, and I don't see why they have to work for free, this is Tribal Business. Their not doing any personal work, this is for the benefit of the Tribe, Tribal Business, and I believe they should be compensated for their time.***

**MOTION BY BRUCE PECORE TO GO PAST THE 10:00 P.M. RULE. SECOND WAS MADE BY RANDAL CHEVALIER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

**(B) Personnel; &**

**1) Correspondence from Prosecutor Toni Caldwell;**

**MOTION BY MYRNA WARRINGTON THAT MR. KUSSEL REVIEW RECORDS WE DISCUSSED IN EXECUTIVE SESSION TO COME BACK WITH, AND THAT WE SET UP A SPECIAL MEETING FOR APRIL 13, 2010 AT 5:30 P.M., AND INVOLVE THE CHIEF OF POLICE AND THE TRIBAL PROSECUTOR. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

**(C) Gaming**

**1) Kenosha Project Update.**

There were not motions made after coming out of Executive Session.

**21. Adjournment.**

**MOTION BY DAVID MILLER/BRUCE PECORE TO ADJOURN. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.**

Meeting Adjourned at 11:30 PM

Respectively submitted by,



Debra A. Bowman, Recorder/Transcriber

**EXECUTIVE SECRETARY, CHAIRMAN'S OFFICE**